



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

KAREN E. SWAIM
SWAIM BIOLOGICAL CONSULTING
[REDACTED]
[REDACTED]
U.S.A.

2. AUTHORITY-STATUTES
16 USC 1539(a)
16 USC 1533(d)

REGULATIONS (Attached)
50 CFR 17.22
50 CFR 17.32

50 CFR 13

3. NUMBER
TE815537-7 AMENDMENT

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
10/24/2007

7. EXPIRES
10/23/2011

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

9. TYPE OF PERMIT
THREATENED AND ENDANGERED SPECIES

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
ON LANDS SPECIFIED WITHIN THE ATTACHED SPECIAL TERMS AND CONDITIONS

11. CONDITIONS AND AUTHORIZATIONS:

- A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.
- B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.
- C. VALID FOR USE BY PERMITTEE NAMED ABOVE.
- D. Further conditions of authorization are contained in the attached Special Terms and Conditions.

RECEIVED
NOV 2 2007
SACRAMENTO FISH
& WILDLIFE OFFICE

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORTS DUE: 01/31
See permit conditions for further reporting requirements.

ISSUED BY
millm

TITLE
ENDANGERED SPECIES PROGRAM MANAGER

DATE
10/24/2007

SPECIAL TERMS AND CONDITIONS

Karen E. Swaim

1. This permit was previously issued on September 25, 2005. The terms and conditions set forth in that permit are hereby superseded by this amendment.
2. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the "General Conditions for Native Endangered and Threatened Wildlife Species Permits," 50 CFR Part 13, 50 CFR 17.22 (endangered wildlife), and/or 50 CFR 17.32 (threatened wildlife), as applicable (copies attached). In addition, the permittee must have all applicable State and Federal permits prior to the commencement of activities authorized by this permit.
3. The permittee is authorized to take: (harass by survey, capture, handle, mark, collect tissue, insert passive integrated transponder (PIT) tags, and release individuals) the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*); (harass by survey, capture, handle, mark, collect tissue, insert PIT tags, and implant radio telemetry devices) the Alameda whipsnake (*Masticophis lateralis euryxanthus*); (harass by survey, capture, handle, mark, collect tissue, PIT-tag, and release) the giant garter snake (*Thamnophis gigas*); and (harass by survey, capture, handle, and release) the California red-legged frog (*Rana aurora draytonii*) and California tiger salamander (*Ambystoma californicus*) in conjunction with population surveys and scientific research for the purpose of enhancing their survival, as specified in the permittee's July 11, 2006, permit renewal and subsequent amendment requests, in accordance with the conditions stated below.
4. Permitted activities are restricted to the following geographic areas in California:

Throughout the range of each species, excluding the Santa Rosa Plateau for the California red-legged frog.

Proposals to conduct activities for the above listed species shall be submitted in writing to the Recovery Permit Coordinator at the appropriate Fish and Wildlife Office (FWO) of the U.S. Fish and Wildlife Service (Service) at least 30 days prior to conducting such activities. The appropriate FWO is determined as follows:

For the Central Valley hydrographic basin and the coast ranges north of the Santa Cruz County line, contact the Sacramento Fish and Wildlife Office (SFWO), 2800 Cottage Way, W-2605, Sacramento, California 95825 (telephone: 916-414-6600; fax: 916-414-6710). For areas from Santa Cruz County south to Los Angeles County north of the Angeles National Forest, contact the Ventura Fish and Wildlife Office (VFWO), 2493 Portola Road, Suite B, Ventura, California 93003 (telephone: 805-644-1766; fax: 805-644-3958). For areas from Los Angeles County including and south of the Angeles National Forest to San Diego County, contact the Carlsbad Fish and Wildlife Office (CFWO), 6010 Hidden Valley Road, Carlsbad, California 92011 (telephone: 619-431-9440; fax: 619-431-9624).

Research and survey proposals may be subject to peer review. No activities may commence prior to review and approval of the proposal by the Recovery Permit Coordinator at the appropriate FWO. Such proposals shall include, but not be limited to: (a) an explanation of the purpose of the activity and a clear description of methods, including names of personnel, area of activity, and the starting and ending dates of activities; (b) number of individuals proposed to be captured, handled, manipulated, and released; (c) maps (at a minimum, a 1:24,000 scale U.S. Geological Survey (USGS) topographical map) or geographic information system (GIS) or geographic positioning system (GPS) data depicting the location of the survey site(s); (d) minimization measures to be implemented to reduce take of the species; and (e) a brief narrative on how the project would further the recovery of the species.

The permittee shall not commence activities authorized by this permit in a new area or at a previously authorized site at a new time until written (e.g., via electronic mail) permission is received from the appropriate FWO. If the permittee is denied authorization to survey at the requested location(s), including previously authorized sites, a request for reconsideration may be submitted to the Endangered Species Program Manager at the Service's California and Nevada Operations (CNO), 2800 Cottage Way, Room W-2606, Sacramento California 95825-1846, as provided in 50 CFR 13.29. The procedures specified in 50 CFR 13.29(b) must be followed.

5. The permittee shall contact the SFWO by telephone approximately 30 days, but not less than 14 days, prior to the current year's trapping season to ensure they are conducting activities according to the most current information and survey protocols. If necessary, the Service shall provide the permittee with a copy of the most current, Service-approved protocol for surveying for each species. No deviation from the currently approved protocol shall be authorized unless reviewed and approved in writing by the SFWO.

6. Authorized individuals:

Only individuals on the attached List of Authorized Individuals (List) are authorized to conduct activities pursuant to this permit. The List, printed on Service letterhead, may identify special conditions or circumstances under which individuals are authorized to conduct activities and must be retained with these Special Terms and Conditions. Each named individual shall be responsible for compliance with the terms and conditions of this permit.

To request changes to the List, the permittee shall submit written requests to the Recovery Permit Coordinator at the SFWO. Two copies of the request shall be submitted at least 30 days prior to the requested effective date. The request shall be signed and dated by the permittee and include:

- a. The name of each individual to be appended to the List;
- b. The resume/qualifications statement of each person to be appended to the List, detailing their experience with each species and type of activity for which authorization is requested;

- i. Tissue collected from each individual shall be stored in individual vials that are labeled with the date and location of the site (including latitude/longitude or universal transverse mercator coordinates, if possible) from which the sample was collected and name of the collector. If storing tissues in ethanol, the ratio of tissue to ethanol solution shall be roughly 1:10. Be aware that many types of ink are soluble in ethanol and may not be appropriate for labeling vials.
- ii. Cross-contamination shall be avoided by rinsing scissors and other equipment used in collecting the sample thoroughly with hydrogen peroxide after tissue is collected from each individual. Scissors and other equipment used in tissue collection shall be wiped dry with a clean, sterile cloth or allowed to air dry after being treated with hydrogen peroxide after each tissue collection to avoid chemical burns to the next specimen.
- iii. Samples shall be sent with a copy of the permit under which they were collected to a depository as designated below.

10. **Taking of the California red-legged frog (frog):**

The permittee is authorized to harass by survey, capture, handle, and release individuals within the geographic boundaries specified above, and the time limitation specified in the permit, provided that:


- a. Capture methods shall follow commonly accepted techniques for amphibian field sampling, including: (i) capture by hand (wet hands only); (ii) dip-netting; (iii) seining; (iv) scooping up by container; and (v) using approved traps. If minnow traps are used, they shall be checked at intervals not to exceed 12 hours. Minnow traps shall not be used when metamorphic and adult frogs may be present unless the traps can be placed in a manner that would allow captured individuals to gain ready access to the surface to prevent drowning.
- b. **All handling of frogs must adhere to the following measures:**
 - i. Amplexing pairs of frogs shall not be captured, handled, or disturbed.
 - ii. **No egg masses may be harassed in any manner for any activity authorized in this permit.**
 - iii. All handling shall be done in an expedient manner with minimal harm to the individuals being handled. The hands and arms of all workers handling frogs shall be free of lotions, creams, sunscreen, oils, ointment, insect repellent, or any other material that may harm frogs. Handling of frogs shall be done with wet hands.
 - iv. The permittee shall contact the SFWO prior to collecting morphological data to obtain the most recent information about what morphological data

other federally listed species detected while conducting activities authorized under this permit; (iv) a conclusion section that specifically provides recommendations for recovery of the species; and (v) a map (at a minimum, a 1:24,000 scale USGS map) depicting the location of the survey site(s), or GIS data depicting the survey/research site and point localities for species identification.

- b. The annual report shall include, but not be limited to:
- i. Summary presentations and brief discussions of research results;
 - ii. Maps and/or descriptions of locations where collections and monitoring occurred;
 - iii. The results of all collection and monitoring efforts;
 - iv. Reports or other documents that include information gathered under the authority of this permit;
 - v. Numbers of individuals intentionally and incidentally injured or killed, including dates, locations, circumstances of take, and depository receiving the preserved specimen(s);
 - vi. Other pertinent observations made during sampling efforts regarding the status or ecology of the species; and
 - vii. Planned future activities if authorized under this permit.
- c. If no activities occurred over the course of a year, indication of such shall be submitted as an annual report.

18 Failure to comply with all reporting requirements may result in non-renewal or suspension/revocation of this permit.

10/24/07
Date


Endangered Species Program Manager



United States Department of the Interior



FISH AND WILDLIFE SERVICE
California and Nevada Operations
2800 Cottage Way, Suite W-2606
Sacramento, California 95825-1846

LIST OF AUTHORIZED INDIVIDUALS TE-815537-7

1. Individuals authorized to independently conduct all activities pursuant to this permit, except inserting radio transmitters:

Karen E. Swaim, Christopher R. Swaim, Tammy Lim, Holly Shepley, Ricka Stoelting, and Milton Yacelga.
2. Individuals authorized to independently conduct all activities for the Alameda whipsnake, pursuant to this permit, except inserting radio transmitters:

John Kunna.
3. Individuals authorized to conduct all activities for the Alameda whipsnake under direct supervision of an authorized individual, pursuant to this permit:

Melissa Amarello, Steve Santos, [REDACTED], Jeff Mitchell, Caroline Kim, and Ann Murphey.
4. Individuals authorized to independently conduct activities for the San Francisco garter snake and the California red legged frog:

Cullen Wilkerson, Hilary Hodge, Sue Kim, Emily Bjerre, and John Kunna.
5. Individuals authorized to conduct all activities for the San Francisco garter snake and the California red legged frog under direct supervision of an authorized individual, pursuant to this permit:

Melissa Amarello, Steve Santos, [REDACTED], Jeff Mitchell, Caroline Kim, and Ann Murphey.
6. Individuals authorized to independently conduct activities for the giant garter snake:

Cullen Wilkerson and Laurie Eng.

LIST OF AUTHORIZED INDIVIDUALS
TE-815537-7

7. Individuals authorized to conduct all activities for the giant garter snake under direct supervision of an authorized individual, pursuant to this permit:

Melissa Amarello, Steve Santos, [REDACTED], Jeff Mitchell, Caroline Kim, and Ann Murphey.

8. Individuals authorized to independently handle and release California tiger salamander and listed vernal pool branchiopods incidental to activities conducted primarily for the Alameda whipsnake, San Francisco garter snake, giant garter snake, and California red-legged frog:

Karen E. Swaim, Christopher R. Swaim, Tammy Lim, Holly Shepley, Ricka Stoelting, Milton Yacelga, Cullen Wilkerson, Laurie Eng, and Hilary Hodge.

9. Individuals authorized, under direct supervision, to handle and release California tiger salamanders and listed vernal pool branchiopods incidental to activities conducted primarily for the Alameda whipsnake, San Francisco garter snake, giant garter snake, and California red-legged frog:

Melissa Amarello, Steve Santos, [REDACTED], Jeff Mitchell, Caroline Kim, and Ann Murphey.

10. Individuals authorized to independently conduct all activities for the California tiger salamander:

Karen Swaim, Chris Swaim, Jeff Mitchell, and Milton Yacelga

11. Individuals authorized to independently conduct dipnet and seine trapping of the California tiger salamander; and to conduct pitfall trapping of the California tiger salamander under direct supervision.

Tammy Lim and Ricka Stoelting

Supervised individuals may conduct activities pursuant to this permit only under the direct on-site supervision of an individual authorized to independently conduct activities listed above. On-site supervision is defined as an unauthorized individual conducting activities within 3 meters (9.8 feet) of an authorized individual.

10/24/07
Date

Will Fm
Endangered Species Program Manager

This List is valid only if it is dated on or after the permit issuance date.

Marquez\10/15/07

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cc:

Field Supervisor, SFWO (email and hard copy David Kelly)

Field Supervisor, VFWO (email and hard copy Chris Kofron)

Field Supervisor, CFWO (email and hard copy Sandy Marquez)

Scientific Collecting Permits, CDFG, Sacramento, CA